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1626B

Docket No.: 209352US0

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

ATTORNEYS AT LAW

OBLON
SPIVAK
McCLELLAND
MAIER
&
NEUSTADT
P.C.

RE: Application Serial No.: 09/985,759

Applicants: Guido FRIES, et al.

Filing Date: November 6, 2001

For: PROCESS FOR THE PREPARATION OF
ORTHOCARBONATES

Group Art Unit: 1626

Examiner: R. SHIAO

Allowed: April 6, 2004

SIR:

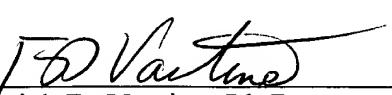
Attached hereto for filing are the following papers:

PETITION TO THE COMMISSIONER UNDER 37 CFR 1.181 W/ATTACHMENTS

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon


Frederick D. Vastine, Ph.D.

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Customer Number

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DOCKET NO.: 209352US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : :

Guido FRIES, et al. : GROUP ART UNIT: 1626

SERIAL NO.: 09/985,759 : EXAMINER: R. SHIAO

FILED: November 6, 2001 : ALLOWED: April 6, 2004

FOR: PROCESS FOR THE PREPARATION
OF ORTHOCARBONATES

PETITION TO THE COMMISSIONER UNDER 37 C.F.R. §1.181

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA. 22313

SIR:

The Commissioner is requested to direct the Examiner to consider the reference AO on the Form 1449 of the Information Disclosure Statement filed November 6, 2001, in the above-identified application. The relevant subsection of this document is 1.1.4 which is directed to the synthesis of ortho carbonate esters by reaction of trichloroacetonitrile with sodium alkoxide. This reaction, in fact, is the subject matter of U.S. Patent 3,876,708, which the Examiner has considered as an English language equivalent of DE 22 49 460 which is also briefly discussed on page 1 of the text of the specification. Accordingly, the Examiner is requested to initial the enclosed Form 1449 indicating that he has considered the Kantlehner publication, and return a copy of the initialed Form to the undersigned.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Frederick D. Vastine, Ph.D.
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209352US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Guido FRIES, et al.

SERIAL NO: NEW APPLICATION

GAU:

FILED: HEREWITH

EXAMINER:

FOR: PROCESS FOR THE PREPARATION OF ORTHOCARBONATES

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

COPY

Norman F. Oblon

Registration No. 24,618

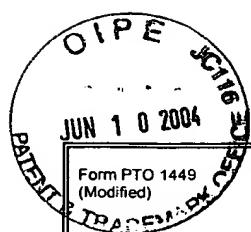
Frederick D. Vastine, Ph.D.

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Form PTO 1449 (Modified)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 209352US0	SERIAL NO. NEW APPLICATION			
LIST OF REFERENCES CITED BY APPLICANT		APPLICANT Guido FRIES, et al.					
		FILING DATE HEREWITH		GROUP			
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
AA							
AB							
AC							
AD							
AE							
AF							
AG							
AH							
AI							
AJ							
AK							
AL							
AM							
AN							
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION		
	AO	DE 22 49 460	04/08/75	GERMANY (Corr. U.S. 3,876,708)	YES	NO	
	AP						
	AQ						
	AR						
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
AW	W. KANTLEHNER, et al., "Die Praeparative chemie der O- and N-funktionellen Othokohlensaeure-Derivate", SYNTHESIS, 1977, pp. 73-90.						
AX							
AY							
AZ					<input type="checkbox"/> Additional References sheet(s) attached		
Examiner					Date Considered		
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

COPY

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COPY



OSMM&N File No. 209352US0

Dept: CHEMICAL

Serial No. NEW APPLICATION

By: NFO:FDV:ckd

In the matter of the Application of: Guido FRIES, et al.

For: PROCESS FOR THE PREPARATION OF ORTHOCARBONATES

The following has been received in the U.S. Patent Office on the date stamped hereon

12 pp. Specification & 17 Claims/Drawings 0 Sheets
and 2 pages Application Data Sheet

Declaration and Power of Attorney for Patent Application (3 pages, executed)
 List of Inventor Names and Addresses
 Utility Patent Application Transmittal
 Request for Priority
 Check for \$780.00
 Fee Transmittal Form
 Assignment/PTO-1595 pages: 3
 Letter to Official Draftsman
 Letter Requesting Approval of Drawing Changes
 Drawings sheets Formal
 PTO Cover Letter
 Amendment
 Information Disclosure Statement
 Cited References (2)
 Search Report
 Statement of Relevancy
 IDS/Related/List of Related Cases
 Response to Restriction Requirement
 Rule 132 Declaration
 Request for Extension of Time under 37 C.F.R. §1.13
 Notice of Appeal
 Appeal Brief
 Reply Brief
 Issue Fee Transmittal
 White Advance Serial Number Card
 Small Entity Status is Claimed

 CPA
 Priority Doc (1)
 Dep. Acct. Order Form
 PTO-1449
 Cited Pending Applications ()
 Election Response



Due Date: November 17, 2001